

REMARKS

This is in response to the Office Action mailed July 2, 2004. Claims 1-5 have been cancelled. New claims 6-10 have been added to further characterize the present invention. Claims 6-10 remain pending. Support for new claims 6-10 can be found throughout the specification and specifically in paragraph 0024, claims 1-5, and Figures 1-16 (front and side panels), paragraph 0025, paragraph 0028, claims 1-5, and Figures 2, 4, 6-14, and 16 (protruding pin), paragraph 0027, claims 2, 3, 4, and 5, and Figures 1, 3, 5, 8, and 15 (hook and open region), paragraph 0026, paragraph 0030 and Figures 1, 2, 11, and 15 (aperture and dispensing bar), paragraph 0026 (roll of labels having a tape portion and a label portion), and paragraph 0028, claims 1-5, and Figure 8 (single piece dispenser and injection molded dispenser).

The new claimed invention is directed to a roll dispenser for dispensing labels. The dispenser is a single piece of material that has several features including (1) a dispenser that is a single piece, (2) a pin in the center for supporting a roll of labels, (3) hooks for suspending the dispenser, (4) an open region below the hooks to help support the dispenser when it is suspended, (5) an aperture in the front panel, and (6) an angled dispensing bar in the aperture in the front panel for separating the labels from the tape during dispensing. New claims 7 through 10 further define the embodiment in new claim 6.

Interview Summary Record

Applicants thank the Examiner for the courtesy shown to Mark T. Skoog in the interview of August 2, 2004. The claims were discussed as was the cited art in addition to suggested clarification of the claims. Dr. Skoog also showed a commercial embodiment of the present invention to the Examiner.

Rejections Under 35 U.S.C. § 102(b)

The Examiner has rejected claim 1 as being anticipated by Packard (U.S. Pat. No. 5,735,400). Applicants respectfully traverse this rejection. Claim 1 has been cancelled. Packard does not teach a single piece dispenser having a hook element. Packard does not apply to new claims 6-10 which include the hook elements. Therefore, it is respectfully requested that this rejection be withdrawn.

Rejections Under 35 U.S.C. § 103(a)

The Examiner has rejected claims 2-5 as unpatentable over Packard in view of McWilliam (U.S. Pat. No. 777,044). Applicants respectfully traverse this rejection.

Packard is directed to a single piece dispenser for dispensing a roll of tape, and medical tape in particular. The dispenser in Packard has (1) first and second sides; (2) a hub; and (3) a peripheral bridge. McWilliam is directed to a plaster dispenser having hooks.

The Examiner has stated that the present invention is obvious because Packard teaches all of the elements of the roll dispenser and McWilliam teaches hooks along edges. However, neither Packard, nor McWilliam teach or suggest the combination of a single piece dispenser with a hook. Without such a suggestion or motivation to combine Packard or McWilliam, a *prima facie* case of obviousness cannot be made. Applicants have cancelled claims 1-5, solely to further prosecution and not to acquiesce to the Examiner's rejection.

New claims 6-10 call out several features of one embodiment of the present invention including (1) a single piece dispenser, (2) a pin in the center for supporting a roll of labels, (3) hooks for suspending the dispenser, (4) an open region below the hooks to help support the dispenser when it is suspended, (5) an aperture in the front panel, and (6) an angled dispensing bar in the aperture in the front panel for separating the labels from the tape during dispensing.

Packard and McWilliam do not teach or suggest either individually or in combination a single piece roll dispenser having these features. A combination of Packard and McWilliam, with a motivation or suggestion to combine Packard and McWilliam, would teach a single piece dispenser having (1) first and second sides; (2) a hub; (3) a peripheral bridge; and (4) hooks. A combination of Packard and McWilliam, with a motivation or suggestion to combine the references, would not teach the elements called out in new claim six including (1) an open region below the hooks to help support the dispenser when it is suspended, (2) an aperture in the front panel, and (3) an angled dispensing bar in the aperture in the front panel for separating the labels from the tape during dispensing. Accordingly, it is requested that this rejection be withdrawn.

Summary

It is respectfully submitted that each of the pending claims is in condition for allowance, and notification to that effect is kindly requested. The Examiner is invited to contact the Applicants' primary attorney-of-record, Andy Sorensen, at 651-306-5810, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted,

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